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PATENT
Attorney Docket No. P04821US0
PHI 1313

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTEE: PUSKARIC, Vladimir
PATENT NO: 6,809,242 B1
ISSUED: October 26, 2004
TITLE: HYBRID MAIZE PLANT & SEED 39K40

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 CFR § 1.322(a))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: Decision and Certificate of Correction
Branch of the Patent Issue Division

Certificate
JAN 18 2005
of Correction

Dear Sir:

Attached, in duplicate, is Form PTO-1050, with at least one copy being suitable for printing.

The exact page and line number where the errors are shown correctly in the application file are:

=====

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 1/7/2005

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office, Art Unit _____ at Fax No. (703) 872-_____.

Lila A. T. Akrad

JAN 19 2005

Page 2, lines 5, 21, 23 and 24; page 3, lines 2, 8, and 10; page 4, lines 2, 3 and 22; page 7, lines 2 and 28; page 8, lines 5, 7, 18, 19, 23 and 27; page 9, lines 3, 7, 15, 17, 25, and 29 of the Letter Accompanying Amendment After Allowance filed February 27, 2004.

Please send the Certificate to: Lila A. T. Akrad, McKee, Voorhees & Sease, P.L.C., 801 Grand Avenue, Suite 3200, Des Moines, IA 50309-2721.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lila A. T. Akrad". The signature is fluid and cursive, with the first name "Lila" being the most prominent.

LILA A. T. AKRAD, Reg. No. 52,550
McKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No. (515) 288-3667
Fax No. (515)-288-1338
CUSTOMER NO: 27142
Attorneys of Record

- bja -

JAN 19 2005

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

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DATED : **October 26, 2004**
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It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 6, line 8:
~~maizedmaize~~ lines GE535658 and GE516223. These lines, depos-

Col. 33, line 60:
Collection (ATCC), 10801 University ~~Boulevard~~Boulevard, Manassas,

Col. 33, line 63:
the ATCC on ~~Sep.~~September 9, 2003, ~~Sep.~~September 12, 2003 and ~~Sep.~~September 15, 2003,

Col. 34, line 10:
~~Va.~~Virginia 20110-2209. This deposit of seed of hybrid maize plant

Col. 34, line 19:
~~viiility~~viability of the sample upon deposit. Applicant(s) have no

Col. 34, lines 21-22:
transfer of biological material or its transportation in ~~Com-~~commerce
~~merce~~. Applicant(s) do not waive any infringement of their

Col. 34, line 26:
1. ~~Hybrid~~Seed of hybrid maize ~~seed~~variety designated 39K40, representative

Col. 34, line 27:
seed of said ~~hybrid 39K40~~variety having been deposited under

Col. 34, line 39:
kernel, ~~carear~~cob, husk and stalk.

MAILING ADDRESS OF SENDER:

Page 1 of 3

Lila A. T. Akrad
McKee, Voorhees & Sease, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, IA 50309-2721

PATENT NO. 6,809,242 B1

No. of additional copies

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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Col. 36, lines 15-16:
(e) repeating the steps (c) and (d) of ~~backcrossing to said inbred~~
~~maize parent plant~~ three or more times in succession to

Col. 36, line 19:
(f) crossing said fourth or higher backcross progeny plant with the other

Col. 36, line 31:
28. The plant of claim 2327 wherein the desired trait is

Col. 36, line 32:
herbicide resistance and the resistance is ~~confered~~conferred to an

Col., 36, line 36:
29. The plant of claim 2327 wherein the desired trait is insect

Col. 36, line 39:
30. The plant of claim 2327 wherein the desired trait is male

Col. 36, line 46:
~~GM355658~~GE535658 and GE516223, representative samples of

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Nos. as PTA-5505 and PTA-5517 ~~and~~ respectively,

Col. 36, line 52:
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Col. 36, lines 64-65:
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Col. 38, line 1:
the physiological and morphological ~~characteristics~~characteristics of hybrid

Col. 38, line 2:
maize variety 39K40 listed in Table 1 as ~~determined~~determined at the 5%

Col. 38, line 7:
plant and harvesting the ~~resultant~~resultant maize seed.

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PATENT NO. 6,809,242 B1

Page 3 of 3	Lila A. T. Akrad McKee, Voorhees & Sease, P.L.C. 801 Grand Avenue, Suite 3200 Des Moines, IA 50309-2721	No. of additional copies 
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801 Grand Avenue, Suite 3200
Des Moines, IA 50309-2721  1

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